



HOUSE OF REPRESENTATIVES

HB 2337

regulation; deficiencies; opportunity to correct
Prime Sponsor: Representative Norgaard, LD 18

DPA Committee on Government and Higher Education

DPA Caucus and COW

X As Transmitted to the Governor

OVERVIEW

HB 2337 requires an agency to document inspection report deficiencies in writing.

PROVISIONS

1. Requires an agency to:
 - a. document in writing deficiencies identified during an inspection; and
 - b. provide the regulated person with an opportunity to correct the deficiencies.
2. Requires *any* agency that prohibits a regulated person an opportunity to correct deficiencies to provide a detailed written explanation of the reason the opportunity to correct was not allowed.
3. Makes conforming changes.

CURRENT LAW

An inspection report is required to contain deficiencies identified during an inspection. An agency must provide the regulated person an opportunity to correct the deficiencies unless the agency determines that the deficiencies are: 1) committed intentionally; 2) not correctable within a reasonable period of time; 3) evidence of a pattern of noncompliance; or 4) a risk to any person, public health, safety or welfare or the environment. If an agency allows the regulated person an opportunity to correct the deficiencies, the regulated person must notify the agency when the deficiencies have been corrected. Within 30 days the agency must determine if the regulated person is in substantial compliance and provide notification. If the agency determines the deficiencies have not be corrected within a reasonable period of time, the agency may take any authorized enforcement action ([A.R.S. § 41-1009](#)).